

1 HENNIGAN, BENNETT & DORMAN LLP
2 RODERICK G. DORMAN (CA SBN 96908)
dormanr@hbdlawyers.com
3 ALAN P. BLOCK (CA SBN 143783)
blocka@hbdlawyers.com
4 MARC MORRIS (CA SBN 183728)
morrism@hbdlawyers.com
5 865 S. Figueroa Street, Suite 2900
Los Angeles, California 90017
Telephone: 213-694-1200
6 Facsimile: 213-694-1234

7 Attorneys for Plaintiff
8 ACACIA MEDIA TECHNOLOGIES CORPORATION

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10 **UNITED STATES DISTRICT COURT**
11 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
12 **SAN JOSE DIVISION**

13 In re) Case No. 05 CV 01114 JW
14 ACACIA MEDIA TECHNOLOGIES) MDL No. 1665
15 CORPORATION)
16) [PROPOSED] ORDER GRANTING
17) ACACIA'S UNOPPOSED MOTION FOR
18) ADMINISTRATIVE LEAVE FOR ORDER
19) CORRECTING THE COURT'S ORDER
20) GRANTING DEFENDANTS' MOTIONS
21) FOR SUMMARY JUDGMENT
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CASE NO. 05-CV-01114 JW
MDL NO. 1665

[PROPOSED] ORDER GRANTING ACACIA'S
UNOPPOSED MOTION FOR ADMINISTRATIVE LEAVE FOR
ORDER CORRECTING SUMMARY JUDGMENT

The Court, having considered Acacia's unopposed Motion for Administrative Leave for an Order correcting the Court's Order Granting Defendants' Motions for Summary Judgment, and finding good cause thereon, hereby Grants Acacia's Motion.

The Court shall issue a corrected Order Granting Defendants' Motions for Summary Judgment with the following revisions:

1. The list of claims at 3:4-8 should be deleted and replaced with the following list of claims:

“Claims 41, 45, and 46 of the ‘992 patent;

Claims 17-19 of the '863 patent;

Claim 11 of the '720 patent; and

Claims 1-42 of the ‘702 patent.”

2. The citation of support for the list of claims at issue at 3:9-10 should be revised to add the Stipulated Covenants Not To Sue (shown in underline to indicate the adding information) as follows:

“(See Declaration of David Benyacar in Support of Round 3 Defendants’ Motions for Summary Judgment of Invalidity, Ex. B, hereafter, “Benyacar Decl.,” Docket Item No. 293; Stipulated Covenants Not To Sue, Docket Item Nos. 285 and 286.)”

3. The sentence at 7:22-24 should be deleted and replaced with the following sentence:

“Accordingly, the Court GRANTS Defendants’ Motions for Summary Judgment that Claims 41, 45, and 46 of the ‘992 Patent; Claims 17-19 of the ‘863 patent; Claim 11 of the ‘720 patent; and Claims 1-42 of the ‘702 patent are invalid.”

SO ORDERED.

Dated:

Honorable James Ware
United States District Judge

1 PRESENTED BY:
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3 RODERICK G. DORMAN (CA SBN 96908)
4 ALAN P. BLOCK (CA SBN 143783)
5 MARC MORRIS (CA SBN 183728)
6 HENNIGAN, BENNETT & DORMAN LLP
7 865 S. Figueroa Street, Suite 2900
8 Los Angeles, California 90017

9
10 By _____ /s/ Alan Block _____
11 Alan Block

12 Attorneys for Plaintiff, ACACIA MEDIA
13 TECHNOLOGIES CORPORATION